

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT**

IN RE:

DEBORAH D. STAPLES,

DEBTOR.

CHAPTER 13
CASE NO. 21-41801-LSG
JUDGE LISA S. GRETCHKO

**TRUSTEE’S OBJECTION TO THE PROOF OF CLAIM FILED ON BEHALF OF
MICHIGAN DEPARTMENT OF TREASURY (PACER CLAIM NO. 13-1)**

NOW COMES the Chapter 13 Standing Trustee in this matter, David Wm. Ruskin, and objects to the Proof of Claim filed on behalf of Michigan Department Of Treasury (PACER Claim No. 13-1), and in support thereof states as follows:

1. The Proof of Claim filed on behalf of Michigan Department Of Treasury (PACER Claim No. 13-1), on June 1, 2021 in the amount of \$300.00 appears to be a duplicate claim of Michigan Department of Treasury, (PACER Claim No. 14-1), which was filed on June 17, 2021 in the amount of \$9,916.06.

WHEREFORE, the Chapter 13 Standing Trustee requests that this Honorable Court disallow the Proof of Claim filed on behalf of Michigan Department Of Treasury (PACER Claim No. 13-1) on June 1, 2021 in its entirety, and grant any further and other relief as this Court deems equitable and just, including entering an Order absolving the Trustee from any duty to recoup disbursements previously made to Michigan Department Of Treasury.

OFFICE OF DAVID WM. RUSKIN,
STANDING CHAPTER 13 TRUSTEE

Dated: August 12, 2021

By: /s/ Thomas D. DeCarlo
DAVID Wm. RUSKIN (P26803)
LISA K. MULLEN (P55478)
THOMAS D. DECARLO (P65330)
JOHN P. KAPITAN (P61901)
Attorneys for Chapter 13 Trustee
1100 Travelers Tower, 26555 Evergreen Road
Southfield, MI 48076-4251

**UNITED STATES BANKRUPTCY COURT
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IN RE:

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CHAPTER 13
CASE NO. 21-41801-LSG
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**(PROPOSED)
ORDER SUSTAINING TRUSTEE'S OBJECTION TO
PROOF OF CLAIM FILED ON BEHALF OF MICHIGAN
DEPARTMENT OF TREASURY (PACER CLAIM NO. 13-1)**

This matter came on for hearing upon the Objection to Proof of Claim filed by the Chapter 13 Standing Trustee pursuant to Local Bankruptcy Rule 3007-1, the Objection having been served with the Notice of Objection to Claim in accordance with the local bankruptcy rules, the requisite time for a response having passed, no response to the Objection having been timely filed and served, and the Court being otherwise sufficiently advised in the premises

IT IS HEREBY ORDERED that the Trustee's Objection to Proof of Claim filed on behalf of Michigan Department Of Treasury (PACER Claim No. 13-1) is SUSTAINED. The Proof of Claim filed on behalf of Michigan Department Of Treasury (PACER Claim No. 13-1) is disallowed.

IT IS HEREBY FURTHER ORDERED that to the extent that the Chapter 13 Standing Trustee has previously made disbursements to such Creditor, the Trustee shall not be obligated to recoup the same.

EXHIBIT 1

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

IN RE:

DEBORAH D. STAPLES,

DEBTOR.

CHAPTER 13 Proceeding
CASE NO. 21-41801-LSG
JUDGE LISA S. GRETCHKO

AKA or DBA (if any):

Address(es):

15715 Manning St.
Detroit, MI 48205-0000

, -
Social Security Number(s):

Employer's Tax Identification (EIN) No(s). (if any):

**NOTICE OF OBJECTION TO CLAIM FILED ON BEHALF OF
MICHIGAN DEPARTMENT OF TREASURY (PACER CLAIM NO. 13-1)**

The Chapter 13 Standing Trustee has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or disallowed. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to deny or change your claim, then on or before September 23, 2021, you or your lawyer must:

1. File with the court a written response to the objection, explaining your position, at:

U.S. Bankruptcy Court
211 W. Fort Street, Suite 2100
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date stated above. All attorneys are required to file pleadings electronically.

You must also mail a copy to:

John A Steinberger & Associates Pc, 17515 West Nine Mile Rd #420, Southfield, MI 48075-0000
David Wm. Ruskin, 26555 Evergreen Rd., Ste 1100, Southfield, MI 48076
MICHIGAN DEPARTMENT OF TREASURY, BANKRUPTCY UNIT, P.O. BOX 30168, LANSING, MI 48909
City of Detroit Office of Treasury, Attn: Jay Rising, Chief Financial Officer, Coleman A. Young Municipal Center, 2 Woodward Ave. Suite 130, Detroit, MI 48226

2. Attend the hearing on the objection, scheduled to be held on September 30, 2021 at 9:00 a.m., in Courtroom 1975, United States Bankruptcy Court, 211 W. Fort Street, Detroit, Michigan, unless your attendance is excused by mutual agreement between yourself and the objector's attorney. (Unless the matter is disposed of summarily as a matter of law, the hearing shall be a pre-trial conference only; neither testimony nor evidence will be received. A pre-trial scheduling order may be issued as a result of the pre-trial conference.)

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim, in which event the hearing will be canceled, and the objection sustained.

OFFICE OF DAVID WM. RUSKIN,
STANDING CHAPTER 13 TRUSTEE

Dated: August 12, 2021

By: /s/ Thomas D. DeCarlo
DAVID Wm. RUSKIN (P26803)
LISA K. MULLEN (P55478)
THOMAS D. DECARLO (P65330)
JOHN P. KAPITAN (P61901)
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1100 Travelers Tower
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Southfield, MI 48076-4251
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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
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IN RE:

DEBORAH D. STAPLES,

DEBTOR.

CHAPTER 13

CASE NO. 21-41801-LSG

JUDGE LISA S. GRETCHKO

**CERTIFICATE OF SERVICE OF TRUSTEE'S OBJECTION TO
THE PROOF OF CLAIM FILED ON BEHALF OF MICHIGAN
DEPARTMENT OF TREASURY (PACER CLAIM NO. 13-1)**

I hereby certify that on August 12, 2021, I electronically filed the Trustee's Objection to the Proof of Claim filed on behalf of Michigan Department Of Treasury (PACER Claim No. 13-1) With (Proposed) Order Disallowing the Proof of Claim filed on behalf of Michigan Department Of Treasury (PACER Claim No. 13-1), Notice of Objection to Claim filed on behalf of Michigan Department Of Treasury (PACER Claim No. 13-1) and Certificate of Service with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

The following parties were served electronically:

JOHN A STEINBERGER & ASSOCIATES PC
17515 WEST NINE MILE RD #420
SOUTHFIELD, MI 48075-0000

The following parties were served via First Class Mail at the addresses below by depositing same in a United States Postal Box with the lawful amount of postage affixed thereto:

DEBORAH D. STAPLES
15715 MANNING ST.
DETROIT, MI 48205-0000

City of Detroit Treasury
Attn: Jay Rising, Chief Financial Officer
Coleman A. Young Municipal Center
2 Woodward Ave. Suite 130
Detroit, MI 48226

MICHIGAN DEPARTMENT OF TREASURY
BANKRUPTCY UNIT,
P.O. BOX 30168,
LANSING, MI 48909

/s/ Vanessa Wild

Vanessa Wild
For the Office of David Wm. Ruskin
Chapter 13 Standing Trustee-Detroit
1100 Travelers Tower
26555 Evergreen Road
Southfield, MI 48076-4251
(248) 352-7755